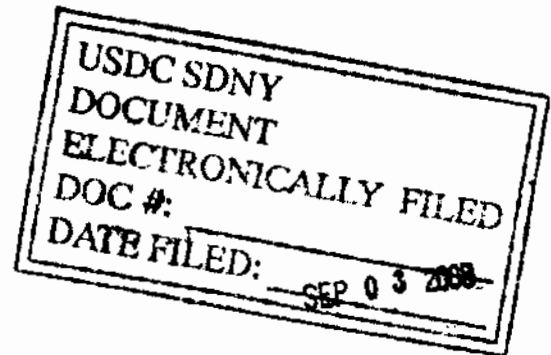


AN15C/5



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NORTHERN VALLEY
COMMUNICATIONS, L.L.C.,

Plaintiff,

vs.

XO COMMUNICATIONS SERVICES, INC.,

Defendant.

No.: 08 CIV 6800 (66A)

STIPULATION AND ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys for the respective parties to the above-captioned action, that the time for Defendant XO Communications Services, Inc. to answer, move against or otherwise respond to Plaintiff's Complaint, dated July 29, 2008, and served on August 7, 2008, is extended to and including September 12, 2008.

IT IS FURTHER STIPULATED AND AGREED that no previous requests for adjournment or extension of the date to answer the Complaint have been made, and the adjournment set forth herein does not affect any other schedule in this matter.

ny-830951

IT IS FURTHER STIPULATED AND AGREED that this Stipulation may be executed in counterparts.

Dated: August 26, 2008

ROBINSON & McDONALD LLP
Attorneys for Plaintiff
Northern Valley Communications, L.L.C.

By: Jayne S. Robinson

Jayne S. Robinson

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Dated: August 26, 2008

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SO ORDERED:

George B. Daniels SEP 03 2008
U.S. District Judge
HON. GEORGE B. DANIELS